

REMARKS

Claims 1, 10, 11 and 20 are pending in the above application. By the above amendment, claims 2-9, 13-19 and 21 have been cancelled without prejudice.

In a final Office Action dated January 19, 2006, claims 1-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Discenzo in view of Kurishige. These rejections were affirmed by the Board of Patent Appeals and Interferences in a decision dated November 9, 2007. It is believed that that decision is based on an erroneous finding of fact. Specifically, finding of fact number 4 from that decision is: "Discenzo discloses a steer-by-wire system for providing a steering reaction force to a steering wheel based on the torque values extracted from a steering motor." This statement was not previously made by the examiner or the applicant; instead, both the examiner and the applicant appeared to understand that Discenzo used a separate torque sensor to determine torque.

It is believed that this error could have been addressed with a request for reconsideration which might have changed the Board decision. However, newly discovered prior art, submitted herewith in an IDS, suggested that further claim amendments were desirable before addressing this issue again with the Board. It is hoped that the claims as amended will be found allowable; however, Applicant reserves the right to address the above error of fact if it again becomes necessary to do so.

Claim 1 has been amended to more clearly define the present invention and distinguish it over all art presently of record. Claim 1 now recites, for example, that an extracted component of sensed steering motor current is amplified by an amplification factor. Furthermore, the amplification factor decreases as vehicle speed increases. This is because it has been found that at higher vehicle speeds, less reaction force (caused by roughness of the road) should be transmitted to a steering wheel to maintain driver comfort.

Claim 1 further provides a range of frequencies for the extracted motor current component and recites different frequency ranges based on vehicle speed. Claim 1 also recites that the frequency range should have a lower limit of about 3 Hz and an upper limit that is higher at low vehicle speeds than at high vehicle speeds. This also contributes to driver comfort at both low and high speeds.

Claim 11 has been amended to include limitations generally similar to those discussed above in connection with claim 1.

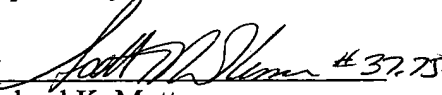
The art of record in no manner shows or suggests the invention now recited in the pending claims, and claims 1, 10, 11 and 20 are therefore submitted to patentably distinguish over the art of record and to be in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the examiner is respectfully requested to the undersigned to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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